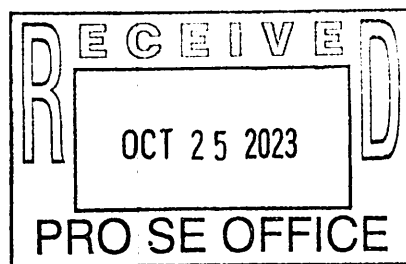


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Honorable LaShann DeArcy Hall
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201



Re: United States v. Jiahui Miao
Criminal Docket No. 22-458 (LDH)

Dear Judge DeArcy Hall:

****Re: Motion for Speedy Trial, Disclosure of Evidence, and
Consideration for Dismissal****

****Criminal Docket No. 22-458 (LDH)****

Pursuant to the Sixth Amendment of the U.S. Constitution and the Speedy Trial Act of 1974 (18 U.S.C. §§ 3161-3174), I, JIAHUI MIAO, am compelled to submit this motion due to the undue delay in proceedings and the violation of my rights.

****Background**:**

Nearly a year has elapsed since the inception of this case. During the last court hearing held months ago, I personally stood up and requested an accelerated trial, noting the severe distress and detriment this prolonged process is inflicting on my daily life and mental well-being. Contrary to my plea, an extension was granted, based on my defense attorney's subjective wishes—a decision I vocally opposed in court. Furthermore, it was then promised that all evidentiary material would be handed over post-trial. Months have since passed, and despite numerous inquiries, my defense attorney has yet to receive any of the promised evidence.

****Argument**:**

1. ****Violation of the Speedy Trial Right**:**

- **Barker v. Wingo**, 407 U.S. 514 (1972): A precedent that established factors considering the violation of the speedy trial right. All four elements from this case—length of delay, reason for delay, assertion of the right, and prejudice to the defendant—are relevant here and favor a swift resolution.

2. ****Failure in Evidence Disclosure**:**

- **Brady v. Maryland**, 373 U.S. 83 (1963): The suppression by the prosecution of evidence favorable to a defendant who has requested it violates due process. The ongoing delay in disclosing crucial evidence seriously undermines my right to a fair trial.

3. ****Breach of Assurance and Negligence**:**

The court's failure to address my plea and the subsequent delay implies either negligence or misconduct by both the prosecution and my defense attorney. This has shaken my faith in the fairness of the American legal system.

****Relief Sought**:**

In light of these grievances, I respectfully request:

- a) The immediate scheduling of trial dates to enforce my right to a speedy trial.
- b) A mandate to the prosecution for the swift disclosure of all pertinent evidence.

c) Consideration for dismissal of charges, given the undue delays, non-disclosure of evidence, and infringements of my constitutional rights.

I implore the Court to recognize the grave injustices I've endured and trust that it will uphold the principles of justice intrinsic to the U.S. legal system.

Respectfully submitted,

/s/JIAHUI MIAO

Date: 10/25/2023

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SCANNED

can this paper to be sealed.

/s/ JIAHUI MIAO

25/10/2023

